

JS 44 (Rev. 12/12)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<b>I. (a) PLAINTIFFS</b> STEPHEN McCLOSKEY 333 RIDLEY AVE FOLSOM, PA 19033  (b) County of Residence of First Listed Plaintiff <u>DELAWARE</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>  (c) Attorneys (Firm Name, Address, and Telephone Number) JOHNATHAN MARX, ESQUIRE TWO BALA PLAZA BALA CYNWYD, PA 19004	<b>DEFENDANTS</b> COMMUNITY EDUCATION CENTERS, INC  County of Residence of First Listed Defendant <u>WEST CALDWELL, NJ</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i>  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.  Attorneys (If Known) MATTHEW H. FRY, ESQUIRE 21 WEST FRONT STREET MEDIA, PA 19063						
<b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)							
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question ( <i>U.S. Government Not a Party</i> )							
<input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>							
		<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)					
		(For Diversity Cases Only)	PTF	DEF	PTF	DEF	
		Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
		Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
		Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

<b>IV. NATURE OF SUIT</b> (Place an "X" in One Box Only)																														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">CONTRACT</th> <th style="text-align: left; padding: 2px;">TORTS</th> <th style="text-align: left; padding: 2px;">FOREIGN LITIGATION/PENALTY</th> <th style="text-align: left; padding: 2px;">BANKRUPTCY</th> <th style="text-align: left; padding: 2px;">OTHER STATUTES</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;"> <input type="checkbox"/> 110 Insurance  <input type="checkbox"/> 120 Marine  <input type="checkbox"/> 130 Miller Act  <input type="checkbox"/> 140 Negotiable Instrument  <input type="checkbox"/> 150 Recovery of Overpayment &amp; Enforcement of Judgment  <input type="checkbox"/> 151 Medicare Act  <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)  <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits  <input type="checkbox"/> 160 Stockholders' Suits  <input type="checkbox"/> 190 Other Contract  <input type="checkbox"/> 195 Contract Product Liability  <input type="checkbox"/> 196 Franchise       </td> <td style="padding: 2px;"> <b>PERSONAL INJURY</b>  <input type="checkbox"/> 310 Airplane  <input type="checkbox"/> 315 Airplane Product Liability  <input type="checkbox"/> 320 Assault, Libel &amp; Slander  <input type="checkbox"/> 330 Federal Employers' Liability  <input type="checkbox"/> 340 Marine  <input type="checkbox"/> 345 Marine Product Liability  <input type="checkbox"/> 350 Motor Vehicle  <input type="checkbox"/> 355 Motor Vehicle Product Liability  <input type="checkbox"/> 360 Other Personal Injury  <input checked="" type="checkbox"/> 362 Personal Injury - 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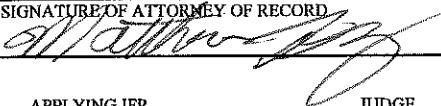
<b>V. ORIGIN</b> (Place an "X" in One Box Only)	
<input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (specify) <input type="checkbox"/> 6 Multidistrict Litigation	

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

<b>VI. CAUSE OF ACTION</b>	
Brief description of cause:	

<b>VII. REQUESTED IN COMPLAINT:</b>		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$	CHECK YES only if demanded in complaint: <b>JURY DEMAND:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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<b>VIII. RELATED CASE(S) IF ANY</b>		<i>(See instructions):</i>		JUDGE	DOCKET NUMBER
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DATE 09/13/2016		SIGNATURE OF ATTORNEY OF RECORD 			
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FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

STEPHEN McCLOSKEY

CIVIL ACTION

v.

COMMUNITY EDUCATION CENTERS, INC.

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. (X)
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

<u>September 13, 2016</u>	<u>Matthew H. Fry, Esquire</u>	<u>Defendant, Community Education Centers</u>
<u>Date</u>	<u>Attorney-at-law</u>	<u>Attorney for</u>
<u>(610) 565-5700</u>	<u>(610) 891-0652</u>	<u>mfry@dioriosereni.com</u>
<u>Telephone</u>	<u>FAX Number</u>	<u>E-Mail Address</u>

## UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Stephen McCloskey; 333 Ridley Ave, Folsom, PA 19033

Address of Defendant: Community Education Centers, Inc.

Place of Accident, Incident or Transaction: Thornton, PA

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes  No

Does this case involve multidistrict litigation possibilities?

Yes  No

*RELATED CASE, IF ANY:*

Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes  No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes  No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes  No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes  No

**CIVIL: (Place ✓ in ONE CATEGORY ONLY)**

A. *Federal Question Cases:*

1.  Indemnity Contract, Marine Contract, and All Other Contracts
2.  FELA
3.  Jones Act-Personal Injury
4.  Antitrust
5.  Patent
6.  Labor-Management Relations
7.  Civil Rights
8.  Habeas Corpus
9.  Securities Act(s) Cases
10.  Social Security Review Cases
11.  All other Federal Question Cases

(Please specify) \_\_\_\_\_

B. *Diversity Jurisdiction Cases:*

1.  Insurance Contract and Other Contracts
2.  Airplane Personal Injury
3.  Assault, Defamation
4.  Marine Personal Injury
5.  Motor Vehicle Personal Injury
6.  Other Personal Injury (Please specify)
7.  Products Liability
8.  Products Liability — Asbestos
9.  All other Diversity Cases

(Please specify) Medical Malpractice

**ARBITRATION CERTIFICATION**

(Check Appropriate Category)

I, \_\_\_\_\_, counsel of record do hereby certify:

- Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- Relief other than monetary damages is sought.

DATE: \_\_\_\_\_

Attorney-at-Law

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 9/13/16

Attorney-at-Law

83131

Attorney I.D.#

CIV. 609 (5/2012)

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
PENNSYLVANIA**

---

<b>STEPHEN McCLOSKEY</b>	:	
333 Ridley Avenue	:	
Folsom, PA 19033	:	<b>Notice of Removal</b>
v.	:	
	:	
<b>COMMUNITY EDUCATION CENTERS, INC.</b>	:	
35 Fairfield Place	:	
West Caldwell, NJ 07006	:	
	:	
and	:	
	:	
<b>CORRECTIONAL MEDICAL ASSOCIATES, INC.</b>	:	
1000 Circle 75 Parkway, Suite 060	:	
Atlanta, GA 30339	:	

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**TO: THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA:**

Defendant, Community Education Centers, Inc., by and through its attorneys, Robert M. DiOrio and Matthew H. Fry, give notice of removal of the above-captioned action from the Court of Common Pleas of Delaware County, Pennsylvania, in which this action is now pending, to the United States District Court for the Eastern District of Pennsylvania, pursuant to 28 U.S.C. §§1332, 1441, and 1446, and in support thereof aver as follows:

1. Plaintiff commenced this civil action by filing a Writ of Summons on June 20, 2016 in the Court of Common Pleas of Delaware County, Pennsylvania. A true and correct copy of the docket entries from the action filed in the Court of Common Pleas of Delaware County is attached hereto as Exhibit A.

2. A Complaint was filed on August 17, 2016 and was received by Defendants the same day, and Defendants have filed this Notice of Removal with 30 days of first receipt of the Complaint, and thus this removal is timely pursuant to 28 U.S.C. §1441(e).

3. Plaintiff, Stephen McCloskey, is an adult individual with a residence address of 333 Ridley Avenue, Folsom, PA and is thus a citizen of Pennsylvania for purposes of 28 U.S.C. §1332.

4. Defendant Community Education Centers, Inc., is a Delaware corporation with a principal place of business at 35 Fairfield Place, West Caldwell, New Jersey 07006 and is thus a citizen of New Jersey for the purposes of 28 U.S.C. §1332.

5. Defendant Correctional Medical Associates, Inc., upon information and belief, is a foreign corporation not registered in the State of Pennsylvania, and has an address of 1000 Circle 75 Parkway, Suite 060, Atlanta, GA 30339.

6. Plaintiff's Complaint seeks damages in excess of \$75,000 based upon the injuries alleged and the fact that he has filed this case as a major jury trial. Thus, upon information and belief, the amount in controversy is in excess of the jurisdictional amount for diversity jurisdiction.

7. There is diversity of citizenship between Plaintiff and Defendant; therefore, this Court has jurisdiction over this matter through federal diversity jurisdiction, pursuant to 28 U.S.C. §1332.

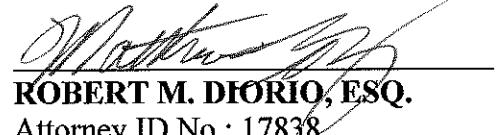
8. The entire record from the State Court is attached, which consists of Exhibit B, Plaintiff's Complaint; Exhibit C, Plaintiff's Writ of Summons; and Exhibit D, Defendant's Rule to File Complaint.

**WHEREFORE**, Defendant hereby gives notice of removal of the above action now pending in the Court of Common Pleas of Delaware County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania. This action will proceed in this Court as an action properly removed thereto.

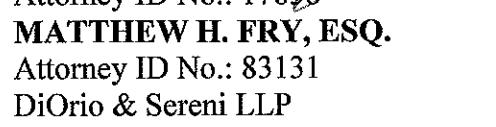
**DIORIO & SERENI, LLP**

**DATE:** September 13, 2016

**BY:**

  
**ROBERT M. DIORIO, ESQ.**

Attorney ID No.: 17838

  
**MATTHEW H. FRY, ESQ.**

Attorney ID No.: 83131

DiOrio & Sereni LLP

P.O. Box 1789

Media, PA 19063

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
PENNSYLVANIA

---

STEPHEN McCLOSKEY :  
333 Ridley Avenue :  
Folsom, PA 19033 :  
v. :  
: :  
**COMMUNITY EDUCATION CENTERS, INC.** :  
**35 Fairfield Place** :  
**West Caldwell, NJ 07006** :  
and :  
: :  
**CORRECTIONAL MEDICAL** :  
**ASSOCIATES, INC.** :  
**1000 Circle 75 Parkway, Suite 060** :  
**Atlanta, GA 30339** :

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**CERTIFICATE OF SERVICE**

I certify that on September 13, 2016, I served a true and correct copy of this notice of removal upon all other parties to this action as follows:

Jonathan Marx, Esquire  
Two Bala Plaza Suite 300  
Bala Cynwyd, PA 19004

*via first class mail*

  
MATTHEW H. FRY



# Delaware County, Pennsylvania

Rich in Culture, History and Commerce

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Services...

Judgment Index Search

Case Search

&lt;&lt; Back to previous page

**Case Information**

Date: September 12, 2016 3:37:56 PM EDT

Case Filing Date	Case Number	Case Type
06/20/2016	2016-005383	Medical Professional Liability

**Litigant(s) Information**

Party Name	Attorney(s)	Party Role	Address	Case Filing Date
MCCLOSKEY, STEPHEN	MARX, JONATHAN D	Plaintiff	333 RIDLEY AVENUE FOLSOM PENNSYLVANIA 19033	06/20/2016
COMMUNITY EDUCATION CENTER, INC	DIORIO, ROBERT M	Defendant	35 FAIRFIELD PLACE CALDWELL NEW JERSEY 07006	06/20/2016
CORRECTIONAL MEDICAL ASSOCIATES INC		Defendant	1000 CIRCLE 75 PARKWAY SUITE 060 ATLANTA GEORGIA 30339	06/20/2016

**Docket Information**

Description	Comments	Filing Attorney	Event Filing Date	Event Filing Time	View Image
Entry of Appearance	FOR JONATHAN D MARX, ESQ ATTY FOR PLAINTIFF		06/20/2016	02:34:23 PM	View Image
Writ issued			06/20/2016	02:34:54 PM	
Receivable Created For \$285.50			06/20/2016	02:35:47 PM	
Case Initiated - Writ of Summons			06/20/2016	02:35:47 PM	View Image
Receipt# 179333 generated for the amount of \$ 285.50			06/20/2016	02:39:27 PM	
Praeclipe for Rule to File Complaint	AND RULE TO FILE COMPLAINT	DIORIO , ROBERT M	07/20/2016	03:18:26 PM	View Image
Praeclipe for Appearance			07/20/2016	03:25:54 PM	View Image
Receipt# 183347 generated for the amount of \$ 50.00			07/20/2016	03:26:08 PM	
Complaint Filed			08/17/2016	03:45:26 PM	View Image

[Click to see Judgment Details information](#)

EXHIBIT

A

Kaplin Marx, PLLC  
Jonathan D. Marx, Esquire  
ID. # 48263  
Two Bala Plaza, Suite 300  
Bala Cynwyd, PA 19004  
Tel.: 610-660-7780  
Fax: 610-572-7301

Attorney for Plaintiff

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PA  
CIVIL ACTION - LAW**

STEPHEN MCCLOSKEY

13

NO: 16-5383

## COMMUNITY EDUCATION CENTERS, INC.

AND

## CORRECTIONAL MEDICAL ASSOCIATES, INC.

**CIVIL ACTION COMPLAINT**

THE HISTORY OF  
DELAWARE.  
VOL. I.



NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer's Reference Service  
Front and Lemon Streets  
Media, PA 19063  
(610) 566-6625

THE PARTIES

1. Plaintiff STEPHEN MCCLOSKEY is a citizen and resident of the Commonwealth of Pennsylvania residing at the above captioned address.
2. Defendant CORRECTIONAL MEDICAL ASSOCIATES, INC., (hereinafter referred to as Correctional) is a corporation or other business entity operating under the laws of the Commonwealth of Pennsylvania with a business office at the address on the Summons filed in this matter
3. Defendant COMMUNITY EDUCATION CENTERS, INC. (hereinafter referred to as Community) is a corporation or other business entity operating under the laws of the Commonwealth of Pennsylvania with a business office at the address on the Summons filed in this matter.
4. At all times relevant, Defendants Correctional and Community were engaged in the practice of medicine and operated the hospital/infirmary/medical facility at the George W. Hill Correctional Facility in Delaware County and were obliged to bring to bear in the practice of medicine the professional skills, knowledge and experience which they possessed or were obliged to possess and to provide medical care in accordance with reasonably safe and accepted standards of medicine.
5. At all times relevant, Defendants Correctional and Community had agents, servants, or employees acting on their behalf and within the course and scope of their employment.
6. At all times relevant hereto, all physicians, nurses, technicians, professional staff and any other individuals who provided care and treatment to STEPHEN MCCLOSKEY, while at the George W. Hill Correctional Facility on behalf of Defendants Correctional and Community, were the actual and/or apparent agents servants and/or employees of

Defendants Correctional and Community and were acting within the course and scope of their employment with the Defendants.

**THE FACTS**

7. On or about June 23, 2014, or thereafter, Plaintiff STEPHEN MCCLOSKEY, presented to the hospital, infirmary, medical facility at the George W. Hill Correctional Facility after having fallen and injured his left hand and fingers.
8. At that time and thereafter, Defendants xrayed the Plaintiff and attempted to place his dislocated fingers back into their sockets, but as a result of their negligent conduct in the diagnosis and treatment of Plaintiff's left hand and fingers, which was below the standard of accepted medical care, Plaintiff sustained injury and damages to his left hand and fingers that are permanent.
9. As a result of Defendant's Correctional and Community's care of Plaintiff and their failure to properly diagnose and treat his left hand and finger injuries, Plaintiff has been required to undergo additional medical treatment and testing, has lost the ability to use his hand in the manner he was able to do before the malpractice, cannot close his hand into a fist and will be required to seek additional treatment into the future and these damages and injuries are permanent in nature.
10. Plaintiff STEPHEN MCCLOSKEY'S injuries were caused by the carelessness and negligence of the Defendants Correctional and Community, jointly, severally and/or individually in the following particular respects:
  - a. failing to timely and properly diagnose Plaintiff McCloskey's left hand and multiple finger injuries;
  - b. failing to timely and properly treat Plaintiff's left hand and multiple finger injuries;
  - c. failing to timely refer Plaintiff to other physicians or medical providers who would have properly diagnosed and treated Plaintiff's injuries;

11. The carelessness and negligence of the Defendants as set forth in the proceeding paragraphs of this Complaint substantially increased the risk of harm to Plaintiff and was the legal cause of him necessitating additional medical care and sustaining permanent injuries to his left hand and fingers.
12. As a result of the aforesaid negligent and careless conduct of the Defendants, Plaintiff has undergone great physical pain and mental anguish to his great detriment and loss and has suffered a loss of life's pleasures and he will continue to endure same for an indefinite time into the future and the same is permanent in nature and character.
13. As a further result of the negligent and careless conduct of the Defendants, Plaintiff has paid or has been obliged to pay money for medical care in an effort to affect a cure of his aforesaid injuries, and he may be obliged to expend such sums for an indefinite time into the future, to his great detriment and loss and a lien may be asserted for all monies paid on his behalf.
14. As a further result of the negligent and careless conduct of the Defendants aforesaid, Plaintiff was, and may in the future be, prevented from attending to his usual daily duties, functions, activities and, all to his great loss and detriment.
15. As a result of the aforesaid negligent and careless conduct of the Defendants, Plaintiff has suffered a diminution in his ability to enjoy life and life's pleasures, and said diminution is permanent in nature and character.

Wherefore, Plaintiff STEPHEN MCCLOSKEY, demands judgment against the Defendants, COMMUNITY EDUCATION CENTERS, INC. and CORRECTIONAL

MEDICAL ASSOCIATES, INC., jointly, severally and/or individually in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).



BY: \_\_\_\_\_  
JONATHAN D. MARX, ESQUIRE  
Attorney for Plaintiff

F16105346881

PA House

PA House of Reps

02:31:18 p.m. 08-15-2016

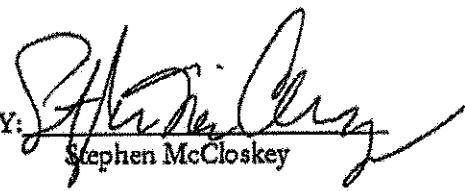
2 / 2

## VERIFICATION

I, Stephen McCloskey, am the Plaintiff in the within action and state that the facts set forth in the foregoing Pleading are true and correct to the best of my knowledge, information and belief, and that this statement is made subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsification to authorities.

Date: 8-15-2016

BY:

  
Stephen McCloskey

**Supreme Court of Pennsylvania****Court of Common Pleas****Civil Cover Sheet**

Delaware

County

For Probate/Adoption	Case No.
	2016-5383

*The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.*

**Commencement of Action:**

- Complaint       Writ of Summons  
 Transfer from Another Jurisdiction

- Petition  
 Declaration of Taking

SECTION A

Lead Plaintiff's Name:  
Stephen McCloskey

Lead Defendant's Name:  
Community Education Centers, Inc

Are money damages requested?  Yes     No

Dollar Amount Requested:  
(check one)  within arbitration limits  
 outside arbitration limits

Is this a *Class Action Suit?*  Yes     No

Is this an *MDJ Appeal?*  Yes     No

Name of Plaintiff/Appellant's Attorney: Jonathan D. Marx, Esquire

Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

**Nature of the Case:** Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

**TORT (do not include Mass Tort)**

- Intentional  
 Malicious Prosecution  
 Motor Vehicle  
 Nuisance  
 Premises Liability  
 Product Liability (*does not include mass tort*)  
 Slander/Libel/ Defamation  
 Other:  
 Medical Malpractice

**CONTRACT (do not include Judgments)**

- Buyer Plaintiff  
 Debt Collection: Credit Card  
 Debt Collection: Other

- Employment Dispute:  
 Discrimination  
 Employment Dispute: Other

- Other:

**CIVIL APPEALS**

- Administrative Agencies  
 Board of Assessment  
 Board of Elections  
 Dept. of Transportation  
 Statutory Appeal: Other

- Zoning Board  
 Other:

**MASS TORT**

- Asbestos  
 Tobacco  
 Toxic Tort - DES  
 Toxic Tort - Implant  
 Toxic Waste  
 Other:

**REAL PROPERTY**

- Ejectment  
 Eminent Domain/Condemnation  
 Ground Rent  
 Landlord/Tenant Dispute  
 Mortgages Foreclosure: Residential  
 Mortgage Foreclosure: Commercial  
 Partition  
 Quiet Title  
 Other:

**MISCELLANEOUS**

- Common Law/Statutory Arbitration  
 Declaratory Judgment  
 Mandamus  
 Non-Domestic Relations  
 Restraining Order  
 Quo Warranto  
 Replevin  
 Other:

**PROFESSIONAL LIABILITY**

- Dental  
 Legal  
 Medical  
 Other Professional:

Updated 1/1/2011

EXHIBIT

Bloomberg No. 5119

C

IN THE COURT OF COMMONPLEAS OF DELAWARE COUNTY, PENNSYLVANIA  
CIVIL LAW -- ACTION

Stephen McCloskey  
PLAINTIFF (S)

No. \_\_\_\_\_

VS.

Community Education Centers, Inc.  
and Correctional Medical Associates,  
Inc., DEFENDANT (S)

200 JUN 20 PM 22 34  
OFFICE OF JUDICIAL SUPPORT

FILED

PRAECIPE FOR WRIT OF SUMMONS

TO THE OFFICE OF JUDICIAL SUPPORT:

Issue summons in civil action in the above case and forward to  Sheriff or  
 Attorney.

Signature of Attorney/Pro Se Party

Jonathan D. Marx, Esquire  
2 Bala Plaza, Suite 300  
Bala Cynwyd, PA 19004

Name/Address/Telephone # of Attorney/Pro Se Party

Date: 6/20/08

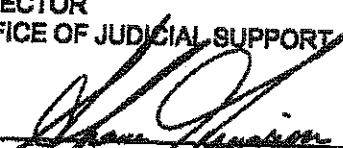
Attorney Supreme Court ID # 48283

WRIT OF SUMMONS IN CIVIL ACTION

TO: Community Education Centers, Inc and Corrections Medical Associates, Inc

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION AGAINST YOU.

ANGELA L. MARTINEZ, ESQ.,  
DIRECTOR  
OFFICE OF JUDICIAL SUPPORT

By: 

Date: \_\_\_\_\_

  
Attested to be a true and correct copy of the original

**List of Parties**

**Plaintiff:**

Stephen McCloskey  
333 Ridley Avenue  
Folsom, PA 19033

**Defendants:**

Community Education Centers, Inc.  
35 Fairfield Place  
West Caldwell, NJ 07006

And

Correctional Medical Associates, Inc.  
1000 Circle 75 Parkway, Suite 060  
Atlanta, GA 30339

Robert M. DiOrio, Esquire  
Attorney I.D. No.: 17838  
Matthew H. Fry, Esquire  
Attorney I.D. No. 83131  
DiORIO & SERENI LLP  
21 West Front Street  
P.O. Box 1789  
Media, PA 19063  
(610) 565-5700

Attorney for Defendant, Community Education Centers, Inc.

RECEIVED  
JULY 20 2016  
IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA  
CIVIL DIVISION - LAW

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA  
CIVIL DIVISION - LAW

STEPHEN McCLOSKEY

Docket No.: 16-5383

v.

COMMUNITY EDUCATION CENTERS, INC.  
and CORRECTIONAL MEDICAL  
ASSOCIATES, INC.

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE OFFICE OF JUDICIAL SUPPORT:

Please enter a Rule upon Plaintiff to File a Complaint within twenty (20) days hereof or suffer the entry of a Judgment of Non Pros.

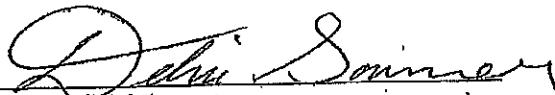
Date: July 19, 2016

BY:

ROBERT M. DIORIO, ESQ.  
Attorney I.D. No.: 17838  
MATTHEW H. FRY, ESQ.  
Attorney I.D. No.: 83131

RULE TO FILE COMPLAINT

AND NOW, this 20 day of July, 2016, a Rule is hereby GRANTED upon Plaintiff to file a Complaint herein within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.

  
John Sonnenberg  
Office of Judicial Support

EXHIBIT

D

Robert M. DiOrio, Esquire  
Attorney I.D. No.: 17838  
Matthew H. Fry, Esquire  
Attorney I.D. No. 83131  
DIORIO & SERENI LLP  
21 West Front Street  
P.O. Box 1789  
Media, PA 19063  
(610) 565-5700

Attorney for Defendant, Community Education Centers, Inc.

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA  
CIVIL DIVISION – LAW**

STEPHEN McCLOSKEY

Docket No.: 16-5383

v.

COMMUNITY EDUCATION CENTERS, INC.  
and CORRECTIONAL MEDICAL  
ASSOCIATES, INC.

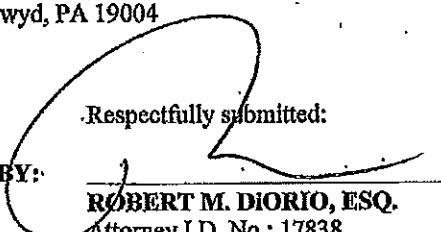
**CERTIFICATE OF SERVICE**

We, Robert M. DiOrio and Matthew H. Fry, attorneys for Defendant, hereby certify that a true and correct copy of the foregoing Praecipe to File Complaint was filed on the date below and a true and correct copy was served via United States First Class mail on the date below to the following:

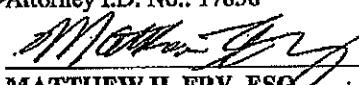
Jonathan D. Marx, Esquire  
2 Bala Plaza, Suite 300  
Bala Cynwyd, PA 19004

Respectfully submitted:

BY:

  
ROBERT M. DIORIO, ESQ.  
Attorney I.D. No.: 17838

Date: July 19, 2016

  
MATTHEW H. FRY, ESQ.  
Attorney I.D. No.: 83131  
21 West Front Street  
P.O. Box 1789  
Media, PA 19063  
(610) 565-5700 (telephone)  
(610) 891-0652 (facsimile)